

BOONE COUNTY BOARD OF COMMISSIONERS

MINUTES OF THE JUNE 6, 2022 MEETING

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, June 6, 2022, in the Connie Lamar Meeting Room located on the main floor of the Boone County Annex Building at 116 W. Washington Street, Room 105, Lebanon, IN 46052 with the following personnel in attendance:

Jeff Wolfe	Commissioner, President
Donnie Lawson	Commissioner, Vice President
Tom Santelli	Commissioner
Bob Clutter	County Attorney
Kaylee Jessie	Administrative Assistant

DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG

Commissioner Wolfe opened the meeting at 9:02 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison.

IN THE MATTER OF MINUTES

Commissioner Santelli moved to approve the amended Minutes of May 2, 2022 Commissioners' Meeting and Minutes of the May 16, 2022 as presented. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF LEGAL ISSUES

Attorney Bob Clutter presented the following items:

- 1) Security Pros agreement for the access control reader addition at the courthouse. The total for the contract is \$2,695.04, plus the ongoing monthly managed services and hosting fees.
Commissioner Santelli moved to approve Security Pros Agreement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 2) Performance bonds for acceptance:
 - a. Park 130 Building 7 totaling \$393,383.28
 - Erosion control for \$260,714.48
 - Storm Sewers for \$132,668.80
 - b. Park 133 Building 1 totaling \$361,387.51
 - Erosion control for \$113,532.32
 - Storm Sewers for \$247,855.19

Commissioner Lawson moved to approve the acceptance of the performance bonds as presented. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OF INSURANCE PROPOSAL

Dan Lamar with WalkerHughes Insurance presented insurance proposals from Tokio Marine and Travelers for general liability, casualty, cyber security, workers comp, etc. The County has been insured through Tokio Marine for three years and was insured through Travelers prior to that. Last year Tokio Marine drew concerns about law enforcement liability issues and the level of activity Boone County has had recently. This is at no fault of our great Sheriff's Department, but this is a trend that is being seen across the United States. Tokio Marine provided a conditional renewal offer that does not include legal law enforcement liability coverage. Travelers provided a complete package proposal. Dan Lamar presented a summary of the cost comparison between the two proposals. **(See Appendix #2.)** Dan Lamar, Bob Clutter, Commissioner Santelli, and Sheriff Nielsen expressed that Travelers provided great services previously – their claims and legal department were great to work with. Tokio Marine presented a more desirable package three years ago with a significant savings. Travelers's proposal came back more aggressive this year for the full package. The new coverage will go into effect on June 30, 2022.

Commissioner Santelli moved to approve the Travelers and IPEP proposals and buying down the law enforcement liability coverage. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF RESOLUTION 2022-04 AUTHORIZATION FOR EXECUTION OF INDOT AGREEMENTS

Bob Clutter, County Attorney, presented Resolution 2022-04 authorization for execution of INDOT agreements and read it aloud in pertinent part pursuant to state law. INDOT now requires documents to be signed by an authorized person(s) using Docusign.

Commissioner Santelli moved to approve Resolution 2022-04 authorization for execution of INDOT agreements. President of Boone County Board of Commissioners is authorized to sign INDOT agreements on behalf of the board. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF RESOLUTION 2022-05 AUTHORIZING DISPOSAL OF SURPLUS PROPERTY AND K-9 UNITS

Bob Clutter, County Attorney, presented Resolution 2022-05 authorizing disposal of surplus property and K-9 units for the Boone County Sheriff's Office and read it aloud in pertinent part pursuant to state law.

Commissioner Lawson moved to approve Resolution 2022-05 authorizing disposal of surplus property and K-9 units for the Boone County Sheriff's Office. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OF UMR ADMINISTRATIVE SERVICES AGREEMENT

Kaylee Jessie, Commissioners Assistant, presented the UMR Administrative Service Agreement amendment with the effective as of January 1, 2022.

Commissioner Lawson moved to approve UMR Administrative Service Agreement amendment. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

**IN THE MATTER OF COMMISSIONERS TO DISCUSS AND
APPROVE LAND USE PLANNING CONTRACT**

The Commissioners and Bob Clutter, County Attorney, wanted to discuss the Indiana Economic Development Corporations (“IEDC”) proposed development near the west side of I-65 in Boone County as there are some land use and planning issues that to be resolved. The comprehensive plan will must be updated. Also, in discussions with the IEDC, they have proposed some general site plans. The proposed development is currently within Boone County’s planning jurisdiction. Bob Clutter, County Attorney, recommends engaging a firm to look at a possible planning and development ordinance that would encompass the entire development, much like what was done with the Anson, to address a variety of uses – residential, commercial, industrial, etc. A planning and development ordinance would be a great way to incorporate the entire project. This does not mean that the Commissioners are approving the project LEAP proposed by the IEDC, but it would be good to have something in place in case the project does go through. The Commissioners have received several offers from consulting firms that offer planning services. Next steps would be to select a firm and discuss with the Boone County Council about funding.

IN THE MATTER OF INDOT 5311 GRANT AGREEMENT AMENDMENT #1

Bob Clutter, County Attorney, presented the Indiana Department of Transportation (“INDOT”) 5311 Grant Agreement amendment #1 on behalf of Boone County Senior Services (“BCSSI”) for ratification. Commissioner Wolfe signed the agreement on June 1, 2022. The only amendment is that the Grant Agreement shall commence on January 1, 2021 and shall remain in effect until December 31, 2024.

Commissioner Santelli moved to approve ratifying the INDOT 5311 Grant Agreement amendment #1. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

**IN THE MATTER OF REQUEST OF ARP FUNDS
TO ASSIST WITH THE COSTS FOR SYLVIA’S CAC**

Kent Eastwood, County Prosecutor, presented the request on behalf of Sylvia’s Child Advocacy Center (“CAC”) for American Rescue Plan (“ARP”) funds to help with the increased costs for Sylvia’s CAC that were a direct result of COVID-19 and the law enforcement agencies increased use of the CAC during the pandemic. The number of interviews increased overall by 33% compared from 2020 to 2021. Sylvia’s CAC has contracts with various local law enforcement agencies based on a historical cost per case per interview that highly exceeded this amount.

The Funding received for CY 2021 and the use by Boone County Sheriff’s Office (“BCSO”) created a loss for the Sylvia’s CAC in the amount of \$13,900. (See chart below.) It is Kent’s / Sylvia’s CAC’s hope that the County will apply ARP funds to cover this loss which it is their firm belief that COVID-19 was a main contributing factor to this increase. BCSO has pledged to address the funding shortage going forward in 2023 budget cycle. Sylvia’s CAC is also asking the Town of Zionsville to apply \$5,000 - \$6,000 of ARP funds to assist with the cost difference. They have also pledged to address the funding shortage going forward in the 2023 budget.

Name	Number of Cases	Cost Per Case \$300	Training Costs	Current LE Funding	Overall
Boone County Sheriff	59	\$17,700	\$1,200	\$5,000	(\$13,900)
Lebanon Police	60	\$18,000	\$800	\$20,000	\$400
Whitestown Police	15	\$4,500	\$1,200	\$10,000	\$3,300
Zionsville Police	33	\$9,900	\$800	\$5,000	(\$5,700)

Additionally, Sylvia's CAC had to change several operating guidelines in order to comply with public health expectations to keep staff and clients safe. As a result, they incurred several new expenses that were not included in their budget. Their system to record interviews is called I record. This system records the interviews and then burns them to a DVD. They also worked with a company called Vidanyx to buy a cloud-based system that allowed them to share their video recordings with the investigative team via the cloud. The cost for this system is \$3,700 for year 2020 and \$3,800 for 2021.

Kent Eastwood requests the County to allocate \$21,400 of ARP funds for the Sylvia's CAC to address the added costs directly related to the response during the COVID-19 pandemic.

Commissioner Santelli moved to approve the request of \$21,400 of ARP funds to assist with the costs for Sylvia's CAC. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0. The amended project list will be presented at the next Commissioners meeting.

IN THE MATTER OF TOSHIBA COPIER CONTRACT ADDENDUM

Sean Horan, IT Support, presented the addendum to the Toshiba copier contract to add envelope trays to several copiers in the environment. The goal with this is that it will allow us to retire several laser printers. This will increase the overall monthly lease amount by \$46 per month but the payback will be fast as the laser printers are much more expensive to print from than the Toshiba machines.

Commissioner Lawson moved to approve the Toshiba copier contract addendum. Motion seconded by Commissioner Santelli; motion passed unanimously 3-0.

IN THE MATTER OF HUNTINGTON CREDIT APPLICATION - BRANDEIS PAVER

Bob Clutter, County Attorney, presented The Huntington Nation Bank Finance Credit Application for ratification for the Brandeis paver. The application was signed by Commissioner Wolfe on May 23, 2022.

Commissioner Santelli moved to approve ratifying The Huntington Nation Bank Finance Credit Application. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF HUNTINGTON LEASE AGREEMENT - BRANDEIS PAVER

Bob Clutter, County Attorney, presented The Huntington Nation Bank Lease-Purchase Agreement No. 001-0711949-302 for the Brandeis paver. The principal amount not to exceed \$445,000.

Commissioner Santelli moved to approve The Huntington Nation Bank Lease-Purchase Agreement No. 001-0711949-302. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF RESOLUTION 2022-06 AUTHROZING DISPOSAL OF SURPLUS PROPERTY

Bob Clutter, County Attorney, presented Resolution 2022-06 authorizing disposal of surplus property for the Boone County Highway Department and read it aloud in pertinent part pursuant to state law. The Vogele Paver will be auctioned.

Commissioner Santelli moved to approve Resolution 2022-06 authorizing disposal of surplus property. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF SJCA INC AGREEMENT FOR BRIDGES 17 & 19

Nick Parr, Highway Director, presented the SJCA Agreement for engineering services for Bridges 17 & 19. The agreement has a not to exceed amount of \$158,700.

Commissioner Santelli moved to approve the SJCA Agreement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF DUNCAN ROBERTSON INC. AGREEMENT FOR THE REPLACEMENT OF BRIDGE 150

Nick Parr, Highway Director, presented the Duncan Robertson Inc Agreement for the replacement of Bridge 150. The total amount of the agreement is \$719,322.30.

Commissioner Santelli moved to approve the Duncan Robertson Inc Agreement. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF OLD BUSINESS

1) Appointment of Dustin Plunkett to the APC Board.

Commissioner Santelli moved to approve the appointment of Dustin Plunkett to the APC Board. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF STAFF REPORTS

- APC – Charlie Campbell
- Facilities / Capital Investments – Max Mendenhall
- Health Department – Lisa Younts / Abby Messenger
- Highway Department – Nick Parr
- Human Resources – Megan Smith
- IT Support – GUTS
- Other Elected Officials

Nick Parr, Director of Highway Department presented the following items:

- 1) Right of way permit (#202210030) for Shane Wagner at 7880 Circle Drive for underground linear construction for drainage improvements. The Boone County Highway Department recommends waiving the bond and approval of the permit.
Commissioner Santelli moved to approve the right of way permit (#202210030) for Shane Wagner and waiving the bond. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 2) Right of way permit (#202210031) for Boone REMC at 7080 E 500 N for one bore to service a house. The Boone County Highway Department recommends a \$5,000 bond and approval of the permit.
Commissioner Santelli moved to approve the right of way permit (#202210031) for Boone REMC. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 3) Right of way permit (#202210032) for Telecom Placement, Inc. at 11080 Templin Road to relocate aerial lines for the Bridge 217 project. The Boone County Highway Department recommends waiving the bond and approval of the permit.
Commissioner Santelli moved to approve the right of way permit (#202210032) for Telecom Placement, Inc. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 4) Right of way permit (#202210033) for TDS Telecom at CR 875 E just north of CR 400 S for underground linear construction for service to houses. The Boone County Highway Department recommends a \$30,000 bond and approval of the permit.
Commissioner Santelli moved to approve the right of way permit (#202210033) for TDS Telecom. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 5) Right of way permit (#202210034) for Schanel Charleswood at the small structure (SC-015) on CR 900 N for geotechnical evaluation for the bridge project. The Boone County Highway Department recommends waiving the bond and approval of the permit.
Commissioner Santelli moved to approve the right of way permit (#202210034) for Schanel Charleswood. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 6) Right of way permit (#202210035) for BSM Groups / Charter Communications at CR 600 S and Cruise Road for underground linear construction to install pedestal for the communication lines. The Boone County Highway Department recommends a \$10,000 bond and approval of the permit.
Commissioner Santelli moved to approve the right of way permit (#202210035) for BSM Groups/Charter Communications. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 7) Right of way permit (#202210036) for Braxton Hughes at 6523 Oxford Drive for equipment crossing curb and sidewalk for residential improvements. The Boone County Highway Department recommends a \$2,000 bond and approval of the permit.
Commissioner Santelli moved to approve the right of way permit (#202210036) for Braxton Hughes. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.
- 8) Right of way permit (#202210037) for BSM Groups / National OnDemand at 9410 W 700 N for the installation of power supply. The Boone County Highway Department recommends waiving the bond and approval of the permit.
Commissioner Santelli moved to approve the right of way permit (#202210037) for BSM Groups / National OnDemand. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 9) Road closure permit (#202230003) for Duncan Robertson at CR 500 E between CR 300 S and ASW from 01/09/2023 to 05/05/2023. The Boone County Highway Department recommends approval of the permit.

Commissioner Santelli moved to approve the road closure permit (#202230003) for Duncan Robertson. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 10) Road closure permit (#202230004) for Schanel Charleswood at the Small Structure SC-015 on CR 900 N from 06/06/2022 to 06/07/2022.

Commissioner Santelli moved to approve the road closure permit (#202230004) for Schanel Charleswood. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 11) Indiana Department of Transportation (“INDOT”) LPA certification application for County Engineer Mike Goralski.

Commissioner Santelli moved to approve the INDOT LPA certification application for County Engineer Mike Goralski. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 12) CivilCon quote to stock the Boone County Highway Department’s metal culvert supply. The total quote amount is \$33,611.08.

Commissioner Santelli moved to approve the CivilCon quote. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 13) A memorandum of understanding (“MOU”) between Boone County and the Zionsville Parks & Recreation for painting a mural under Bridge 257 located on Bloor Lane over the Big 4 Trail. The Zionsville Parks & Recreation will be responsible for maintenance of the mural. Bob Clutter, County Attorney, had some revisions of the MOU. It will be presented at the next Commissioners meeting. No further action was taken at this time.

IN THE MATTER OF DOCUMENT SIGNING

- 1) An affidavit for payment to Lochmueller Group for the Culvert Replacement of SC-015 on CR 900 N in the amount of \$14,043.34 (Invoice# 310665).

Commissioner Santelli moved to approve the affidavit for payment to Lochmueller Group. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

- 2) Claims Dockets – regular, prepaids, payroll, and insurance.

Commissioner Santelli moved to approve Budgetary Claims presented from the Auditor’s Office. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.

IN THE MATTER OF MAIL

See (**Appendix #3**) for a list of mail opened by the Commissioners on this date.

IN THE MATTER OF ADJOURNMENT

With no further business, Commissioner Santelli moved to adjourn the Boone County Commissioners’ Meeting at 10:06 AM on Monday, June 6, 2022. Motion seconded by Commissioner Lawson; motion passed unanimously 3-0.